

City Council Minutes
February 14, 2012

Regular Meeting
City Hall Council Chambers

Tuesday, February, 2012
6:00 p.m.

The regular meeting was called to order by Chairman Jerry Goss.
The city clerk called the roll:

Councilor Ferris	-	present	Councilor Doughty	-	present
Councilor Verow	-	present	Chairman Goss	-	present
Councilor O'Connell	-	present			

Chairman Goss declared a quorum present. City Manager Bost and City Solicitor Dearborn were also present.

Chairman Goss led members of the council and others present in reciting the pledge of allegiance to the flag of the United States of America.

Chairman Goss read the notice for the regular meeting.

TO: Joseph Ferris, Larry Doughty, Arthur Verow, Jerry Goss and Kevin O'Connell
MEMBERS OF THE BREWER CITY COUNCIL You are hereby notified a regular meeting of the City Council will be held on Tuesday, February 14, 2012 at 6:00 p.m. in the Council Chambers at Brewer City Hall to consider and act on the items on the attached agenda.

s/Jerry Goss
Mayor and Chairman of the City Council

or _____
Majority of the City Council

a true copy, attest: s/Howard F. Kroll
City Clerk

OFFICER'S RETURN

I have on the date(s) and time(s) indicated given notice of this meeting by giving in hand or by leaving at the usual dwelling place of the within named an attested copy of this notice of meeting:

Given/Delivered to:	by (person delivering)	Title	Date	Time
Joseph Ferris	K. Bouchard	Ptl.	02/10/12	
Larry T. Doughty	D. Lord	Sgt.	02/10/12	
Arthur Verow	D. Lord	Sgt.	02/10/12	
Jerry Goss	D. Lord	Sgt.	02/10/12	
Kevin O'Connell	K. Bouchard	Ptl.	02/10/12	

CITY COUNCIL REGULAR MEETING
Tuesday, February 14, 2012 6:00 P.M.
Brewer City Hall Council Chambers

- I. Call to Order.** (Mayor Jerry Goss)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.** (Mayor Goss)
- A. Minutes of January 10, 2012 Regular Meeting.** (Councilor Verow)
- B. Awards, Petitions and Public Comments.**
 - 1. PROCLAMATION: MS Awareness Week. (Mayor Goss)
 - 2. Recognition of Public Safety New Personnel Advancements and Retirements (Swearing in of 3 New Fire/Police Personnel). (Mayor Goss)
 - 3. Public Comments.
- C. Consent Calendar.**
 - 1. (2012-A015) ORDER, Accept Funds to the Brewer Police Department from Carol Reynolds Designated for the Support of the Department's Public Relations Programs. (Councilor Doughty)
 - 2. (2012-A016) ORDER, Accept Funds to the Brewer Police Department from Charles and Eleanor Fisher Designated for the Support of the Department's Public Relations Programs. (Councilor Ferris)
 - 3. (2012-A017) ORDER, Issue Release Deed to Daniel R. Coffin, Elm Street. (Councilor O'Connell)
 - 4. (2012-A018) ORDER, Issue Release Deed to Quality Investments LLC, 53 Center Street. (Councilor Verow)
 - 5. (2012-A019) ORDER, Issue Release Deed to Cherish N. Burgess, 27 High Street. (Councilor Doughty)
 - 6. (2012-A020) ORDER, Retain the Legal Services of William Dale, Esq. to Assist the City Assessor with 2012 Abatement Applications from Two Large City of Brewer Businesses. (Councilor Verow)
 - 7. (2012-A021) ORDER, Set Public Hearing on Proposed Charter Amendment Requiring Future Superintendents of Schools Reside in the City. (Councilor Doughty)
 - 8. (2012-A022) ORDER, Accept Easement from ATKEM Business Park, LLC to the City of Brewer. (Councilor O'Connell)
 - 9. (2012-A023) ORDER, Authorize the Design, Administration and Inspection for a Sewer Project From State Street to Parker Street and Modifications to the Hardy Street Pump Station Combined Sewer Overflow. (Councilor Ferris)

10. (2012-A024) ORDER, Declare City Property Surplus and Authorize Sale of Surplus Property. (Councilor O'Connell)
11. (2012-A025) ORDER, Accept Grant Funds for the Brewer Public Works Department to Purchase a Multi-Gas Monitor for Confined Space Entries. (Councilor Ferris)
12. (2012-A026) ORDER, Accept Donation to the Brewer Police Department's Canine Program. (Councilor Doughty)
13. (2012-B006) RESOLVE, Endorse a Program to Identify and Record Historic Buildings in the City. (Councilor Verow)

D. Monthly Reports. (Councilor Verow)

E. Nominations, Appointments, Elections.

1. Consent Calendar.
 - a. (2012-A027) ORDER, Appoint Member to the Board of Commissioners of the Housing Authority of the City of Brewer. (Councilors Doughty and O'Connell)
 - b. (2012-A028) ORDER, Reappoint and Appoint Members to the Board of Appeals of the City of Brewer. (Councilors Doughty and O'Connell)
 - c. (2012-A029) ORDER, Reappoint and Appoint Members to the Conservation Commission of the City of Brewer. (Councilors Doughty and O'Connell)
 - d. (2012-A030) ORDER, Appoint Member to the Library Board of the City of Brewer. (Councilors Doughty and O'Connell)
 - e. (2012-A031) ORDER, Reappoint and Appoint Members to the Parks and Recreational Advisory Commission of the City of Brewer. (Councilors Doughty and O'Connell)
 - f. (2012-A032) ORDER, Appoint Member to the Board of Assessment Review. (Councilors Doughty and O'Connell)
 - g. (2012-A033) ORDER, Reappoint and Appoint Members to the Brewer Planning Board. (Councilors Doughty and O'Connell)
 - h. (2012-A034) ORDER, Reappoint Member to the Brewer Cemetery Board. (Councilors Doughty and O'Connell)

F. Unfinished Business.

1. (2011-C020) Amend the Land Use Code, Chapter 24, Article 4 Performance Standards, Section 430 Signs, of the Charter, Codes and Ordinances of the City of Brewer. (posted 12/14/12) (Councilor Doughty)

2. (2011-C021) Amend Chapter 28 The Brewer Sign Ordinance, of the Charter, Codes and Ordinances of the City of Brewer by Complete Substitution of the Chapter. (posted 12/14/12) (Councilor Verow)
3. (2012-C001) Amend Chapter 1, Entitled "The City Council", Article 5, City Boards, Committees and Commissions, Section 502.6 of the Charter, Codes and Ordinances of the City of Brewer. (posted 1/12/12)(Councilor Ferris)

G. New Business.

1. (2012-B007) RESOLVE, Set September 18, 2012 as the Date for a Special School Referendum Election. (Councilor Doughty)

H. New Items with Leave of Council.

I. ADJOURN.

A. Minutes of January 10, 2012 Regular Meeting.

ACTION: Councilor Verow moved that the minutes be accepted and placed on file. The motion was seconded and passed by unanimous vote.

B. Awards, Petitions and Public Comments.

PROCLAMATION

WHEREAS, Multiple Sclerosis is a chronic, often disabling disease of the central nervous system; and

WHEREAS, symptoms may be mild, such as numbness in the limbs, or more severe and may include paralysis or loss of vision; and

WHEREAS, most people with MS are diagnosed between the ages of 20 and 50, with women more heavily impacted than men; and

WHEREAS, the unpredictable physical and emotional effects can last a lifetime and have an impact on the entire family; and

WHEREAS, the progress, severity and specific symptoms of MS in any one person cannot yet be predicted, but research advances continue to offer hope to those affected by the disease; and

WHEREAS, approximately 3,000 families in Maine are affected by MS, with nearly one in every 40 Maine residents who have MS – this is a per capita rate 70% higher than the nation as a whole; and

WHEREAS, the Maine Chapter of the National Multiple Sclerosis Society has provided quality services and programs for people with MS in Maine since being founded in June of 1954;

NOW, THEREFORE, I, Jerry Goss, Mayor of the City of Brewer, hereby proclaim the week of March 12th through March 18th, 2012 as

MS AWARENESS WEEK

throughout the City of Brewer and urge all citizens to recognize this observance.

In testimony whereof, I have caused
the Great Seal of the City of Brewer, Maine
hereunto affixed given under my hand this
14th day of February Two Thousand and Twelve

Jerry Goss
Mayor

ACTION: Councilor Verow moved that the proclamation be accepted and placed on file.
The motion was seconded and passed by unanimous vote.

2. Recognition of Public Safety New Personnel Advancements and Retirements (Swearing in of 3 New Fire/Police Personnel).

ACTION: The City Clerk swore in 2 new members of the Fire Department – Jason Gross and Ralph Cammack. Swore in Kristie Bouchard of the Brewer Police Department. A plaque was presented to Rodney Gerald for his service to the Brewer Police Department.

3. Public Comments.

Fire Chief Gary Parent came forward to speak about the department's activities of the last year.

Police Chief Perry Antone also spoke about the police department's activities of the last year.

Mayor Goss read a letter from Machias Savings Bank VP Jim Donnelly thanking the City of Brewer for their assistance in making their project successful.

Patricia Preble, 38 Washington Street, addressed the Council on the \$1,000,000 on the Green Point Road/Elm Street work.

C. Consent Calendar.

ACTION: Councilor Doughty removed orders 2012-A021, A025 and A026 from the consent calendar. Councilor Verow removed resolve 2012-B006 from the consent calendar. Councilor Verow moved that the remaining orders on the consent calendar have passage. The motion was seconded and passed by unanimous vote.

2012-A015

February 14, 2012

TITLE: ORDER, ACCEPT FUNDS TO THE BREWER POLICE DEPARTMENT FROM CAROL REYNOLDS DESIGNATED FOR THE SUPPORT OF THE DEPARTMENT'S PUBLIC RELATIONS PROGRAM.

filed February 8, 2012
by Larry T. Doughty

WHEREAS, the City of Brewer has received a \$250.00 donation from Carol Reynolds designated for the support of the Brewer Police Department's Public Relations programs;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts this donation and directs that these funds be deposited in the Brewer Police Department's Budget Account # 0115801 501550 Public Relations Account to assist the Brewer Police Department in activities to foster stronger relationships between the Brewer Police Department and the citizens of Brewer; and

FURTHER ORDERED, that the City Council herewith authorizes the expenditure of these funds from ACCOUNT #0115801 501550 Public Relations account to support the Brewer Police Department's ongoing efforts in building on existing community relationships;

FURTHER ORDERED, that a letter of acknowledgement and appreciation be sent to Carol Reynolds for her generous donation.

2012-A016

February 14, 2012

TITLE: ORDER, ACCEPT FUNDS TO THE BREWER POLICE DEPARTMENT FROM CHARLES AND ELEANOR FISHER DESIGNATED FOR THE SUPPORT OF THE DEPARTMENT'S PUBLIC RELATIONS PROGRAM.

filed February 8, 2012
by Joseph Ferris

WHEREAS, the City of Brewer has received a \$100.00 donation from Charles and Eleanor Fisher designated for the support of the Brewer Police Department's Public Relations programs;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts this donation and directs that these funds be deposited in the Brewer Police Department's Budget Account # 0115801 501550 Public Relations Account to assist the Brewer Police Department in activities to foster stronger relationships between the Brewer Police Department and the citizens of Brewer; and

FURTHER ORDERED, that the City Council herewith authorizes the expenditure of these funds from Account #0115801 501550 Public Relations account to support the Brewer Police Department's ongoing efforts in building on existing community relationships;

FURTHER ORDERED, that a letter of acknowledgement and appreciation be sent to Charles and Eleanor Fisher for their generous donation.

2012-A017

February 14, 2012

TITLE: ORDER, ISSUE RELEASE DEED TO DANIEL R. COFFIN,
ELM STREET.

filed February 8, 2012
by Kevin O'Connell

ORDERED, that a municipal release deed be issued to Daniel R. Coffin releasing to him all rights, title and interest the City of Brewer may have acquired in the property on Elm Street (City Tax Map 12, Lot 1B) by virtue of City of Brewer tax or sewer lines recorded in the Penobscot County Registry of Deeds in the following volumes and pages:

Volume	Page
11855	319
12506	220

AND FURTHER ORDERED, that the City Manager, or his designee, is herewith authorized to execute the said municipal release deed on behalf of the City of Brewer, Maine.

NOTE: A total of \$1,652.26 in principal was collected along with \$127.30 in interest and \$16.62 in costs.

2012-A018

February 14, 2012

TITLE: ORDER, ISSUE RELEASE DEED TO QUALITY INVESTMENTS LLC,
53 CENTER STREET.

filed February 8, 2012
by Arthur Verow

ORDERED, that a municipal release deed be issued to Quality Investments LLC, releasing to them all rights, title and interest the City of Brewer may have acquired in the property on 53 Center Street (City Tax Map 30, Lot 96) by virtue of City of Brewer tax or sewer lines recorded in the Penobscot County Registry of Deeds in the following volumes and pages:

Volume	Page
12169	72
12506	334

AND FURTHER ORDERED, that the City Manager, or his designee, is herewith authorized to execute the said municipal release deed on behalf of the City of Brewer, Maine.

NOTE: A total of \$6,968.68 in principal was collected along with \$43.84 in interest and \$16.62 in costs.

2012-A019

February 14, 2012

TITLE: ORDER, ISSUE RELEASE DEED TO CHERISH N. BURGESS,
27 HIGH STREET.

filed February 8, 2012
by Larry T. Doughty

ORDERED, that a municipal release deed be issued to Cherish N. Burgess, releasing to her all rights, title and interest the City of Brewer may have acquired in the property on 27 High Street (City Tax Map 28, Lot 155) by virtue of City of Brewer tax or sewer lines recorded in the Penobscot County Registry of Deeds in the following volumes and pages:

Volume	Page
12168	338
12506	211
11636	18
11848	82
12408	72
12584	246

AND FURTHER ORDERED, that the City Manager, or his designee, is herewith authorized to execute the said municipal release deed on behalf of the City of Brewer, Maine.

NOTE: A total of \$4,310.55 in principal was collected along with \$218.18 in interest and \$251.68 in costs.

2012-A020

February 14, 2012

TITLE: ORDER, RETAIN THE LEGAL SERVICES OF WILLIAM DALE, ESQ. TO ASSIST THE CITY ASSESSOR WITH 2012 ABATEMENT APPLICATIONS FROM TWO LARGE CITY OF BREWER BUSINESSES.

filed February 8, 2012
by Arthur Verow

WHEREAS, there are currently two appeals involving the City pending before the Maine State Board of Property Tax Review; and

WHEREAS, the same two businesses have filed abatement requests for 2012 taxes with the City Assessor; and

WHEREAS, it is deemed advisable to retain experienced outside legal counsel to assist the City Assessor in dealing with these applications for abatement;

NOW THEREFORE BE IT ORDERED by the City Council that the City hereby retains the services of William H. Dale, Esq. to assist the City Assessor in the above matter.

2012-A021

February 14, 2012

TITLE: ORDER, SET PUBLIC HEARING ON PROPOSED CHARTER AMENDMENT REQUIRING FUTURE SUPERINTENDENTS OF SCHOOLS RESIDE IN THE CITY

filed February 8, 2012
by Larry T. Doughty

ORDERED, that a public hearing be held on Tuesday, March 13, 2012 at 6:00 p.m. in the Council Chambers at Brewer City Hall on the following proposed amendment to the Brewer City Charter:

Amend Article III of the City of Brewer City Charter to add a Section 8 to read as follows:

SECTION 8. With any Superintendent of Schools contract beginning July 1, 2013, and thereafter, the School Committee require, as a condition of the Superintendent of Schools employment, that the Superintendent of Schools become a resident of the City of Brewer within one year after his or her employment begins.

EXPLANATION

The purpose of this proposed Amendment to the City of Brewer Charter is to require any Superintendent of Schools hired by the City of Brewer Superintending School Committee beginning July 1, 2013, and thereafter, to become a resident of the City of Brewer within one year after being hired.

ACTION: Councilor Doughty moved that the order have passage. The motion was seconded and passed.

Councilor Doughty mentioned that this in regard to Supt. Lee's retirement in June, 2013. We did the same in 2003 with the same intent for the City Manager.

Councilor Ferris said he doesn't support the order but will support it going to a hearing.

It was mentioned that the School Committee felt that this requirement would limit their search.

The order was passed by unanimous consent.

2012-A022

February 14, 2012

TITLE: ORDER, ACCEPT EASEMENT FROM ATKEM BUSINESS
PARK, LLC TO THE CITY OF BREWER.

filed February 8, 2012
by Kevin O'Connell

ORDERED, that the City Council authorizes the City Manager, or his designee, to accept and record the easement from ATKEM Business Park, LLC to the City of Brewer; and

ORDERED, that the City Clerk shall record said easement in the Penobscot County Registry of Deeds upon this Order becoming effective; and

FURTHER ORDERED, that a copy of the easement is herewith attached and made a part of this order.

2012-A023

February 14, 2012

TITLE: ORDER, AUTHORIZE THE DESIGN, ADMINISTRATION AND INSPECTION FOR A SEWER PROJECT FROM STATE STREET TO PARKER STREET AND MODIFICATIONS TO THE HARDY STREET PUMP STATION COMBINED SEWER OVERFLOW.

filed February 8, 2012
by Joseph Ferris

WHEREAS, two small projects still remain to complete the sewer separation projects on the Hardy Street Combined Sewer Overflow (CSO) drainage area; and

WHEREAS, once these projects are designed and built all the projects required of the City Sewer System Master Plan for CSO Abatement will be completed; and

WHEREAS, the two projects can be designed and put out to bid for construction in early summer; and

WHEREAS, the design, administration and inspection costs has been authorized and will be funded by Rural Development from Contingency available from the Jefferson Street Area Sewer Service Improvements and Tibbetts Street Sewer Separation projects loan; and

WHEREAS, ordered that the City Council of the City of Brewer herewith exercises its authority under Section 404 of the City's Purchasing Ordinance, Chapter 36 of the Charter, Codes and Ordinances of the City of Brewer in the purchase of contracted services for this project;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith authorizes the City Manager, or his designee, to issue a purchase order and sign a contract with Olver Associates for \$40,358 for design, administration and inspection services for the State Street to Parker Street sewer project and the Hardy Street CSO Modification project and to charge the expenses to 0680603-560000 (State Street to Parker Street sewer project) and 0680604-560000 (Hardy Street CSO Modifications).

2012-A024

February 14, 2012

TITLE: ORDER, DECLARE CITY PROPERTY SURPLUS AND AUTHORIZE SALE OF SURPLUS PROPERTY.

filed February 8, 2012
by Kevin O'Connell

WHEREAS, property belonging to the City of Brewer has been identified as being no longer useful to the City;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council declares the following Public Works carpenter shop equipment as surplus; 1 – Value Craft 14” band saw, 1 – Rockwell/Delta jointer, 1 – Cincinnati Dust Collector vacuum, and 1 – Scotchlite Vacuum Applicator; and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to sell and finalize all sales of said surplus property by means that would be in the best interest of the City of Brewer; and

BE IT FURTHER ORDERED, that the funds received from the sale of above mentioned items be receipted to the City’s Sale of Asset account 0106904-300410 and appropriated and expended from Public Works account 0116651-502500 to purchase equipment for the Public Works carpenter shop.

2012-A025

February 14, 2012

TITLE: ORDER, ACCEPT GRANT FUNDS FOR THE BREWER PUBLIC WORKS DEPARTMENT TO PURCHASE A MULTI-GAS MONITOR FOR CONFINED SPACE ENTRIES.

filed February 8, 2012
by Joseph Ferris

WHEREAS, the Public Works Department routinely has to enter spaces defined as a confined space; and

WHEREAS, the Multi-Gas monitors currently in use are old, outdated and unable to be repaired; and

WHEREAS, the Bureau of Labor Standards regulations requires atmospheric monitoring during a confined space entry; and

WHEREAS, the Brewer Public Works Department has been awarded a grant from Maine Municipal Association in the amount of \$1495.40 to cover 2/3 of the cost of the purchase of a replacement Multi-Gas monitor; and

WHEREAS, the Public Works Department has \$748 available in expense account 0116631-502700 to meet the City’s share requirements;

NOW, THEREFORE BE IT ORDERED, that the City of Brewer, Maine, by vote of its City Council, does herewith approve the acceptance of this grant money to the City's Public Works Department to be deposited in account number 0600502-560000-66006 (MMA PW Multi Gas Monitor Grant Proceeds); and

BE IT FURTHER ORDERED, that the City Council authorizes the City Manager, or his Designee, to issue a purchase order to Wise El Santo for \$2,243.10 for the purchase of an Industrial Scientific ISC ITX 4 gas monitor, which shall be charged to 0600502-560000-66006 (MMA PW Multi Gas Monitor Grant Expense).

ACTION: Councilor Ferris moved that the order have passage. The motion was seconded and passed.

Councilor Doughty asked the Public Works Director to explain why this is needed.

Public Works Director Dave Cote explained the reasons it was needed.

The order was passed by unanimous consent.

2012-A026

February 14, 2012

TITLE: ORDER, ACCEPT DONATION TO THE BREWER POLICE
DEPARTMENT'S CANINE PROGRAM.

filed February 8, 2012
by Larry T. Doughty

WHEREAS, the City has received a donation of \$3,000.00 from a citizen wishing to remain anonymous designated for the support of the Brewer Police Department's canine program;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts this donation and directs that these donated funds be deposited in the Brewer Police Department's Budget Account #0600058-360000-58003 (Canine Program Grant Proceeds) and appropriated and expended from the Canine Program Expenditures accounts under Org 0600058, Project Code 58003"; and

FURTHER ORDERED, that a letter of acknowledgement and appreciation be sent by the Police Department to the donor for their generous donation.

ACTION: Councilor Doughty moved that the order have passage. The motion was seconded and passed.

Councilor Doughty asked what this was all about.

Police Chief Perry Antone said that the department still has one working dog so the funds are needed.

The order was passed by unanimous consent.

2012-B006

February 14, 2012

TITLE: RESOLVE, ENDORSE A PROGRAM TO IDENTIFY AND RECORD
HISTORIC BUILDINGS IN THE CITY.

filed February 8, 2012
by Arthur Verow

WHEREAS, the Brewer City Council, at its April 28, 2011, adopted resolve 2011-B013, in support of a new Community Partnership Program between the City and the Brewer Historical Society; and

WHEREAS, the Brewer Historical Society recently endorsed a program recommended by the Council's Historic Resources Advisory Committee that would invite the owners of properties One Hundred Years of age or older to apply for listing those properties in a historic registry to be maintained by the Historical Society. The program would include posting attractive signs on the properties to list the date of their construction and the original owners of the properties. Participation in the program would be voluntary. The Historical Society would prepare a map showing the location of historic buildings and these maps would be available to Brewer citizens and visitors to the City; and

RESOLVED, that it is the sense of the City Council that this program would serve to enhance the history of Brewer and be an attraction to people visiting Brewer;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council strongly endorses this program and welcomes its implementation as a worthwhile undertaking by the Brewer Historical Society.

ACTION: Councilor Verow moved that the resolve be adopted. The motion was seconded and passed.

Councilor Verow mentioned that Camden, Belfast and Norridgewock have programs and homes are identified on a map.

The order was passed by unanimous consent.

2012-A026A

February 14, 2012

TITLE: ORDER, ACCEPT 2012 BRYNE JAG GRANT.

filed February 8, 2012
by Joseph Ferris

WHEREAS, the City of Brewer Police Department has received a grant from the US Department of Justice Byrne Jag Grant.

WHEREAS, the City of Brewer Police Department has received approval to purchase a body wire with the funding.

WHEREAS, the amount awarded by the grant to the Brewer Police Department is \$3390.00.

WHEREAS, required local matching funds of \$479.00 shall be furnished from Brewer Police Department asset forfeiture funds.

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts these grant funds and directs that these funds will be deposited in account 0600058-360000-58021 (Byrne/JAG 2012 – Body Wire Grant Revenue). Grant expenditures shall be charged to 0600058-560000-58021 (Byrne/JAG 2012 – Body Wire Grant Expense). Matching funds for the grant shall be charged to #0200100503000 (Asset Forfeiture - Minor Equipment).

D. Monthly Reports.

ACTION: Councilor Verow moved that the monthly reports from the city departments be accepted and placed on file. The motion was seconded and passed by unanimous vote.

E. Nominations, Appointments, Elections.

ACTION: Councilor Doughty removed order 2012-A028 from the consent calendar.

Councilor O'Connell moved that the rest of the orders on the consent calendar with the exception of A028 have passage. The motion was seconded and passed by unanimous vote.

2012-A027

February 14, 2012

TITLE: ORDER, APPOINT MEMBER TO THE BOARD OF
COMMISSIONERS OF THE HOUSING AUTHORITY
OF THE CITY OF BREWER.

filed February 8, 2012
by Larry T. Doughty and
Kevin O'Connell

ORDERED, that Frank Gallant of 53 Madison Avenue is herewith appointed to the Board of Commissioners of the Housing Authority of the City of Brewer for a five year term;

ORDERED, that Mr. Gallant's term will commence April 1, 2012 and expire March 31, 2017.

2012-A028

February 14, 2012

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE
BOARD OF APPEALS OF THE CITY OF BREWER.

filed February 8, 2012
by Larry T. Doughty and
Kevin O'Connell

ORDERED, that Robert Zani of 339 North Main Street and Donna Herweg of 181 Wiswell Road are herewith reappointed to the Board of Appeals of the City of Brewer for three year terms;

ORDERED, that the City Council accept the resignation of David Fitzpatrick of 22 High Street as an alternate member of the Board of Appeals of the City of Brewer and appoint him as a regular member for the remainder of his term (March 31, 2014); and

ORDERED, that Frank Gallant of 53 Madison Avenue be appointed as an alternate member of the Board of Appeals of the City of Brewer for a three year term;

FURTHER ORDERED, that Mr. Zani, Ms. Herweg, and Mr. Gallant's terms will commence April 1, 2012 and expire March 31, 2015.

ACTION: Councilor Doughty moved that the order have passage. The motion was seconded.

Councilor Doughty moved that the order be withdrawn. The motion was seconded and passed by unanimous vote.

City Council Minutes
February 14, 2012

Mayor Goss moved that the City Clerk call each member on the board or commission whose term was to expire and also notify the Chairman of the board or commission of the opening. There was no second to this motion.

2012-A029

February 14, 2012

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE
CONSERVATION COMMISSION OF THE CITY OF
BREWER.

filed February 8, 2012
by Larry T. Doughty and
Kevin O'Connell

ORDERED, that Michael Fitzpatrick, 36 Deer Park Drive is herewith reappointed to the Conservation Commission of the City of Brewer for a three year term and Michele Daniels, 28 School Street is herewith appointed to the Conservation Commission of the City of Brewer for a three year term;

ORDERED, that Mr. Fitzpatrick and Ms. Daniels' terms will commence April 1, 2012 and expire March 31, 2015

2012-A030

February 14, 2012

TITLE: ORDER, APPOINT MEMBER TO THE LIBRARY BOARD
OF THE CITY OF BREWER.

filed February 8, 2012
by Larry T. Doughty and
Kevin O'Connell

ORDERED, that Michele Daniels of 28 School Street is herewith appointed to the Library Board of the City of Brewer for a one year term to fill a vacancy;

ORDERED, that Ms. Daniels' term will commence April 1, 2012 and expire March 31, 2013.

2012-A031

February 14, 2012

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE PARKS
AND RECREATIONAL ADVISORY COMMISSION OF
THE CITY OF BREWER.

filed February 8, 2012
by Larry T. Doughty and
Kevin O'Connell

ORDERED, that Thomas Tardiff of 9 Willow Way and John Cuskelly of 92 Canterbury Road are herewith reappointed to the Parks and Recreational Advisory Commission of the City of Brewer for three year terms and Matthew Vachon is herewith appointed to the Parks and Recreational Advisory Commission the City of Brewer for a three year term;

ORDERED, that Mr. Tardiff, Mr. Cuskelly and Mr. Vachon's terms will commence April 1, 2012 and expire March 31, 2015.

2012-A032

February 14, 2012

TITLE: ORDER, APPOINT MEMBER TO THE BOARD OF
ASSESSMENT REVIEW.

filed February 8, 2012
by Larry T. Doughty and
Kevin O'Connell

ORDERED, that Robert Zani of 339 No. Main Street is herewith appointed to the Board of Assessment Review of the City of Brewer for a three year term;

ORDERED, that Mr. Zani's term will commence April 1, 2012 and expire March 31, 2015.

2012-A033

February 14, 2012

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE BREWER
PLANNING BOARD.

filed February 8, 2012
by Larry T. Doughty and
Kevin O'Connell

ORDERED, that Marc Inman, 41A Evergreen Ridge and Craig Saunders, 45 Oak Grove Drive are herewith reappointed as regular members of the Planning Board of the City of Brewer for three year terms and Daryl Briggs, 20 Whitney Court is herewith reappointed as an alternate member of the Planning Board for a three year term and Robert Zani, 339 No. Main Street is herewith appointed an alternate member of the Planning Board for a three year term;

ORDERED, that the City Council accept the resignation of Frank Gallant, 53 Madison Avenue as an alternate member of the Planning Board of the City of Brewer and appoint him as a regular member for a three year term; and

ORDERED, that Mr. Inman, Mr. Briggs, Mr. Saunders, Mr. Zani and Mr. Gallant's terms will commence April 1, 2012 and expire March 31, 2015.

2012-A034

February 14, 2012

TITLE: ORDER, REAPPOINT MEMBER TO THE BREWER
CEMETERY BOARD.

filed February 8, 2012
by Larry T. Doughty and
Kevin O'Connell

ORDERED, that Michele Daniels, 28 School Street is herewith reappointed to the Cemetery Board of the City of Brewer for a three year term;

ORDERED, that Ms. Daniels' term will commence April 1, 2012 and expire March 31, 2015.

F. Unfinished Business.

1. (2011-C020) Amend the Land Use Code, Chapter 24, Article 4 Performance Standards, Section 430 Signs, of the Charter, Codes and Ordinances of the City of Brewer. (posted 12/14/12)

ACTION: Councilor Doughty moved that the ordinance amendment be enacted. The motion was seconded and passed.

The ordinance amendment was enacted by unanimous vote.

2. (2011-C021) Amend Chapter 28 The Brewer Sign Ordinance, of the Charter, Codes and Ordinances of the City of Brewer by Complete Substitution of the Chapter. (posted 12/14/12)

ACTION: Councilor Verow moved that the ordinance amendment be enacted. The motion was seconded.

Councilor Verow moved that the ordinance amendment be amended by Complete substitution of the chapter. The motion was seconded and passed.

The ordinance amendment was enacted by unanimous vote.

3. (2012-C001) Amend Chapter 1, Entitled "The City Council", Article 5, City Boards, Committees and Commissions, Section 502.6 of the Charter, Codes and Ordinances of the City of Brewer. (posted 1/12/12)

ACTION: Councilor Ferris moved that the ordinance amendment be enacted. The motion was seconded and passed.

The ordinance amendment was enacted by unanimous vote.

G. New Business.

2012-B007

February 14, 2012

TITLE: RESOLVE, SET SEPTEMBER 18, 2012 AS THE DATE FOR A SPECIAL SCHOOL REFERENDUM ELECTION.

filed February 8, 2012
by Larry T. Doughty

RESOLVED, that the Brewer City Council call for a special election on Tuesday, September 18, 2012 for a School Referendum Question.

ACTION: Councilor Doughty moved that the resolve be adopted. The motion was seconded.

Councilor Verow spoke about the school bond issue.

Mayor Goss said that the June primaries was too close and not enough time to have everything ready and November being the presidential and other referendum issues, September would be the best date.

The resolve was adopted by a 4 to 1 vote, Councilor Verow opposed.

H. New Items with Leave of Council.

None.

Chairman Goss said he would accept a motion for adjournment.

ACTION: Councilor Verow moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting adjourned at 7:13 p.m.

ADJOURNED, ATTEST: _____ Howard F. Kroll

City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine